



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
612 EAST LAMAR BLVD, SUITE 400  
ARLINGTON, TEXAS 76011-4125

February 11, 2011

CAL 4-11-001

Jason L. Stone, President  
Quality Inspection and Testing, Inc.  
3808 Commercial Drive  
New Iberia, LA 70560

SUBJECT: CONFIRMATORY ACTION LETTER

Dear Mr. Stone:

This refers to the inspection conducted on October 27, 2010, at a temporary jobsite located east of Rock Springs, Wyoming, near Creston Junction, Wyoming, off of Mile Marker 28, an area of exclusive Federal jurisdiction. Based on the inspection, the NRC has determined that several apparent violations occurred. Upon arriving at the temporary job site, the inspector observed a radiography camera with a guide tube and crank-out device attached and neither your radiographer nor your radiographer's assistant were in the area to maintain surveillance over the camera in accordance with security requirements. The inspection also identified that neither of the radiography personnel were wearing personnel monitoring devices (direct reading dosimeter, operating alarm ratemeter, and personnel dosimeter) on the trunk of the body when radiographic operations were being conducted as required by 10 CFR 34.47(a). Lastly, the inspection identified that the radiography personnel did not have in their possession at the temporary job site specific records required by 10 CFR 34.89(b) or shipping papers required by 10 CFR 71.5(a) and 49 CFR 177.817(a).

During a conference call on October 28, 2010, between Mr. Charles Cain, Deputy Director, Division of Nuclear Materials Safety, and Quality Inspection and Testing personnel, Mr. Steve Ercoli, Corporate Radiation Safety Officer (RSO), and Mr. Mark Casey, Operations Manager, the NRC discussed the inspector's observations during the temporary job site inspection. My staff understood that Quality Inspection and Testing was planning to send staff to Rock Springs, Wyoming, to conduct an internal investigation into the circumstances of these inspection findings.

On January 27, 2011, Mr. Roy Caniano, Director, Division of Nuclear Materials Safety, and other members of my staff contacted you to discuss the outcome of your internal investigation. During this conversation, you provided us a summary of your investigation and informed us of your corrective actions. Later that day, you provided my staff with a letter summarizing your investigation and describing your corrective actions.

Based on our conversation and the referenced letter, it is our understanding that you have taken or will take the following actions:

1. A full-time Northwest Region RSO was named on December 3, 2010.
2. Full authority was provided to the Northwest Region RSO to enforce your Radiation Protection Program with all personnel in the state of Wyoming.
3. Your radiographic policies and procedures were amended and now require the RSO to ensure that all vehicles used in radiographic testing are equipped with the required documents and equipment prior to use.
4. A meeting was convened with all radiographic personnel promptly after the NRC inspection to communicate the results of the NRC inspection.
5. All radiographic personnel were retrained and tested on your Operating and Emergency procedures, with emphasis on the duties and responsibilities of radiographers, dosimetry requirements, and security requirements for controlling, maintaining surveillance over, and storage of licensed material.
6. Weekly field audits were implemented to ensure that all employees are following the required company, State and Federal policies.
7. A STOP WORK AUTHORITY program was implemented providing the authority for all radiographic personnel who identify radiography being conducted in violation of any requirement to stop the work until resolution is achieved.
8. Quality Inspection and Testing, Inc. will provide the NRC with a report of the results of a dose assessment calculation for all work performed on October 27, 2010, by the radiographer and assistant radiographer while not wearing the required dosimetry. Quality Inspection and Testing, Inc. will provide the results of this assessment to the NRC within 30 days of the date of this letter. The information should be provided to Ms. Vivian Campbell, Chief, Nuclear Materials Safety Branch A, Division of Nuclear Materials Safety, Region IV, 612 East Lamar Blvd, Suite 400, Arlington, Texas 76011.

Pursuant to Section 182 of the Atomic Energy Act, 42 U.S.C. 2232, you are required to:

- (1) Notify me immediately if your understanding differs from that set forth above;
- (2) Notify me if for any reason you cannot complete the dose assessment within the specified schedule and advise me in writing of your modified schedule in advance of the change; and
- (3) Notify me in writing when you have completed the actions addressed in this Confirmatory Action Letter.

Issuance of this Confirmatory Action Letter does not preclude issuance of an order formalizing the above commitments or requiring other actions on the part of the licensee, nor does it preclude the NRC from taking enforcement action for violations of NRC requirements that may have prompted the issuance of this letter.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Sincerely,

***/RA/ by ATHowell acting for***

Elmo E. Collins  
Regional Administrator

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to 10 CFR 150.20

cc:  
Jeffrey P. Meyers, Administrator  
Louisiana Dept. of Environmental Quality  
Office of Environmental Compliance  
Emergency & Radiological Services Division  
Office of Environmental Services  
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Baton Rouge, LA 70821-4312

Rusty Lundberg, Director  
Utah Division of Radiation Control  
P.O. Box 144850  
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